United States Patent and Trademark Office

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,966	12/15/2003	Patrick Rocco Guido	5577-288	3402

7590   01/05/2007

Myers Bigel Sibley & Sajovec
PO Box 37428
Raleigh, NC 27627

EXAMINER
NGUYEN, CAO H

ART UNIT	PAPER NUMBER
2173	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/735,966	GUIDO ET AL.
	Examiner	Art Unit	
	Cao (Kevin) Nguyen	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>15 December 2003</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-24</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Malacinski et al.

(US Patent No. 6,348,892).

Regarding claim 1, Malacinski discloses a method for displaying a set of hierarchical data

on an electronic display, the method comprising displaying the set of hierarchical data on the

electronic display in a tree diagram having a first portion and a second portion (..a first display

area containing hierarchical data displayed in a tree representation and a second display area

adjacent the first display area containing data associated with the hierarchical data displayed in

the first display area; see col. 1, lines 35-63); wherein the first portion of the tree diagram has a

plurality of vertically oriented levels (..modify how the hierarchical data is displayed in the

tree view display; i.e., by expanding or collapsing branches of the tree representation; see col. 7,

lines 35-54); and wherein the second portion of the tree diagram has a plurality of horizontally

oriented levels (see col. 7, lines 1-35).

Regarding claim 2, Malacinski discloses wherein at least one element in the set of

hierarchical data includes a set of embedded hierarchical data (see col. 8, lines 41-60).

Regarding claim 3, Malacinski discloses wherein the set of hierarchical data is

displayed in the first portion of the tree diagram, and wherein the set of embedded

hierarchical data is displayed in the second portion of the tree diagram (see col. 9, lines 40-67).

Regarding claim 4, Malacinski discloses wherein at least one element in the set of

embedded hierarchical data includes a second set of embedded hierarchical data, and wherein

the second set of embedded hierarchical data is displayed in a third portion of the tree diagram

(see col. 10, lines 36-67).

Regarding claim 5, Malacinski discloses wherein the second portion of the tree

diagram is disposed between two adjacent levels of the plurality of vertically oriented levels (see

col. 11, lines 28-64).

Regarding claim 6, Malacinski discloses wherein at least one of the plurality of

horizontally oriented levels has a first node that is aligned with one of the plurality of vertically

oriented levels and a second node that is aligned with a different one of the plurality of vertically

oriented levels (see col. 5, lines 34-52).

Regarding claim 7, Malacinski discloses wherein the plurality of vertically oriented

levels in the first portion of the tree diagram and the plurality of horizontally oriented levels in

the second portion of the tree diagram have one or more nodes at each level, and further

comprising displaying on the electronic display an expansion handle icon having a first

configuration adjacent at least one of the nodes in the first portion of the tree diagram and displaying on the electronic display an expansion handle icon having a second configuration adjacent at least one of the other nodes in the first portion of the tree diagram (see figures 1-2).

Regarding claim 8, Malacinski discloses further comprising displaying on the electronic display a plurality of level indicators of a first type that denote respective of the plurality of vertically oriented levels and a plurality of level indicators of a second type that is different from the first type that denote respective of the plurality of horizontally oriented levels (see col. 10, lines 1-67).

Regarding claim 9, Malacinski discloses the plurality of vertically oriented levels and the plurality of horizontally oriented levels have one or more nodes at each level, and wherein the method further comprises expanding a first of the one or more nodes in a first of the plurality of vertically oriented levels to display at least one of the one or more nodes in a first of the plurality of horizontally oriented levels; and laterally shifting the displayed plurality of vertically oriented levels that are higher levels than the first of the plurality of vertically oriented levels (see col. 11, lines 1-64).

Regarding claim 10, Malacinski discloses wherein the plurality of vertically oriented levels and the plurality of horizontally oriented levels have one or more nodes at each level, and wherein each of the plurality of horizontally oriented levels branch out directly or indirectly from respective ones of the one or more nodes in the vertically oriented levels (see col. 15, lines 5-30).

Regarding claim 11, Malacinski discloses wherein the tree diagram includes a third

portion that has a plurality of second vertically oriented levels, and wherein each of the plurality

of second vertically oriented levels branch out directly or indirectly from respective ones of a

group of nodes that comprise part of the second portion of the tree diagram (see col. 16, lines 37-

63).

Regarding claim 12, Malacinski discloses a method for displaying a set of hierarchical

data in which elements of the set of hierarchical data include embedded hierarchical data on an

electronic display, the method comprising displaying at least part of the set of hierarchical data

on the electronic display in a first plurality of levels that have a first orientation upon which the

one or more nodes that comprise the level are substantially aligned (see col. 11, lines 15-64); and

displaying the embedded hierarchical data embedded in at least one of the elements of the set of

hierarchical data on the electronic display in a second plurality of levels that have a second

orientation upon which the one or more nodes that comprise the level are substantially aligned;

wherein the second orientation is different than the first orientation (see col. 13, lines 10-67).

Regarding claim 13, Malacinski discloses wherein the first orientation is a vertical

orientation and the second orientation is a horizontal orientation (see col. 14, lines 17-60).

Regarding claim 14, Malacinski discloses further comprising displaying a second set

of hierarchical data that is embedded in an element of the embedded hierarchical data in one or

more of the first plurality of levels (see col. 6, lines 13-65).

Regarding claim 15, Malacinski discloses a graphical user interface for displaying a set of hierarchical data in which elements of the set of hierarchical data include embedded hierarchical data, comprising a tree diagram having a plurality of vertically oriented levels that include one or more nodes (see figures 3-5); a plurality of horizontally oriented levels that include one or more nodes, wherein each of the plurality of horizontally oriented levels branch out directly or indirectly from respective of the one or more nodes in the plurality of vertically oriented levels (see col. 9, lines 29-67).

Regarding claim 16, Malacinski discloses further comprising a plurality of expansion handles of a first type that are associated with respective of the nodes in the plurality of vertically oriented levels; a plurality of expansion handles of a second type that is different than the first type that are associated with respective of the nodes in the plurality of vertically oriented levels that contain one of the elements of the set of hierarchical data that includes embedded hierarchical data (see col. 16, lines 1-35).

Regarding claim 17, Malacinski discloses further comprising a plurality of level indicators of a first type that denote respective of the plurality of vertically oriented levels; and a plurality of level indicators of a second type that is different from the first type that denote respective of the plurality of horizontally oriented levels (see col. 3, lines 1-30 and figures 3-5).

Regarding claim 18, Malacinski discloses wherein the plurality of level indicators of a first type comprise a line of a first color and the plurality of level indicators of a second type comprise a line of a different color (see col. 8, lines 41-67).

Regarding claim 19, Malacinski discloses wherein each of the plurality of horizontally oriented levels is disposed between pairs of adjacent nodes in the plurality of vertically oriented levels (see figures 3-7).

Regarding claim 20, Malacinski discloses, wherein at least one of the plurality of horizontally oriented levels has a first node that is aligned with one of the plurality of vertically oriented levels and a second node that is aligned with a different one of the plurality of vertically oriented levels (see col. 10, lines 14-67).

Regarding claim 21, Malacinski discloses further comprising a plurality of second vertically oriented levels that branch out directly or indirectly from one or more of the nodes in the plurality of horizontally oriented levels (see col. 13, lines 54-67).

Regarding claim 22, Malacinski discloses, further comprising a plurality of expansion handles of a first type that are associated with respective of the nodes in the plurality of vertically oriented levels; a plurality of expansion handles of a second type that is different than the first type that are associated with nodes in the tree diagram from which the nodes in the plurality of horizontally oriented levels branch out from (see col. 14, lines 17-68).

Regarding claim 23, Malacinski discloses further comprising an expansion handle that is associated with a first node in a first of the vertically oriented levels which may be used to expand the first node to display descendant nodes in both one of the plurality of vertically oriented levels and in one of the plurality of horizontally oriented levels (see figures 5-8).

Regarding claim 24, Malacinski discloses a computer program product for displaying a set of hierarchical data in which elements of the set of hierarchical data include embedded hierarchical data on an electronic display, the method comprising a computer readable medium having computer readable program code embodied therein, the computer readable program code comprising computer readable program code configured to display at least part of the set of hierarchical data on the electronic display in a first plurality of levels having a first orientation (see col. 15, lines 5-67); and computer readable program code configured to display embedded hierarchical data embedded in at least one of the elements of the set of hierarchical data on the electronic display in a second plurality of levels having a second orientation that is different than the first orientation (see col. 16, lines 1-64).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

1/04/07